

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

554D0534

HOUSE BILL NO. 1131

Introduced by: Representatives Wetz, Brooks, Chicoine, Duenwald, Fischer-Clemens, Garnos, Jaspers, and Munson (Donald) and Senators Symens, Brosz, Duxbury, Lange, and Vitter

1 FOR AN ACT ENTITLED, An Act to authorize the Public Utilities Commission to establish
2 procedures and fees for the location of certain utilities across railroad rights-of-way.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 49-16A-100 be amended to read as follows:

5 49-16A-100. The Public Utilities Commission shall ~~make~~ promulgate rules ~~and regulations~~
6 pursuant to chapter 1-26 for the setting of poles location of overhead and underground facilities
7 of telecommunications companies, electric utilities, gas utilities, rural water systems, cable
8 operators, and municipalities, on, over, or under railroad right-of-way, ~~and the stringing or~~
9 ~~suspending of telephone, telegraph, electric, or other wires over the track of railroads~~ and to
10 establish fees to be paid to the owners of railroad right-of-way where the facilities are located
11 outside of public grounds, streets, alleys, and highways.